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EXAMINER

MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
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2623

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/537,890	Applicant(s) SOUNDARARAJAN, ARAVIND	
	Examiner JUNIOR O. MENDOZA	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/16/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1 and 6** are rejected under 35 U.S.C. 102(e) as being anticipated by McKissick et al. (Pub No US 2007/0124795). Hereinafter referenced as McKissick.

Regarding **claim 1**, McKissick discloses a message system configured so that users at one or more of user television equipment devices (120) may exchange messages with one or more of user television equipment devices (100), paragraph [0077] also exhibited on fig, which reads on “transmitting a text message from a source set top box to an exchange”.

Regarding **claim 6**, McKissick discloses everything claimed as applied above (See claim 1), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph

[0013] and [0051] also exhibited on fig 3, which reads on "wherein said transmitting is done via telephone or cable".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2 – 5, 7 – 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over McKissick in view of Oshita (Patent No 5,796,441). Hereinafter referenced as Oshita.

Regarding **claim 2**, McKissick discloses everything claimed as applied above (See claim 1), in addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058].

It is noted that McKissick fails to explicitly disclose packetizing at the exchange said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, an identifier of a destination set top box, and a packet header information; and forwarding said plurality

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of data packets to a multiplexor. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67; furthermore, a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "packetizing at the exchange said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, an identifier of a destination set top box, and a packet header information".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "forwarding said plurality of data packets to a multiplexor".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy.

Regarding **claim 3**, McKissick discloses everything claimed as applied above (See claim 2), in addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another.

It is noted that McKissick fails to explicitly disclose the method of multiplexing said plurality of data packets and audio data and video data into an output transport stream; and broadcasting said output transport stream to the destination set top box. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses that a multiplexer multiplexes the teletext message packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "multiplexing said plurality of data packets and audio data and video data into an output transport stream".

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on "broadcasting said output transport stream to the destination set top box".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where

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different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy.

Regarding **claim 4**, McKissick discloses everything claimed as applied above (See claim 2), in addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another.

It is noted that McKissick fails to explicitly disclose that said plurality of data packets are in MPEG-2 format. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses that the data signal is in MPEG-2, column 3 lines 13-28, which reads on "said plurality of data packets are in MPEG-2 format".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a content compression standard that would allow bandwidth saving.

Regarding **claim 5**, McKissick discloses everything claimed as applied above (See claim 3), in addition, McKissick discloses a television message system that permits users to receive messages through the messaging television system, paragraph [0014]

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also exhibited on fig 3, which reads on "receiving said broadcasted, output transport stream at said destination set top box".

Regarding **claim 7**, McKissick discloses everything claimed as applied above (See claim 3), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting is done via satellite, cable, or wireless".

Regarding **claim 8**, McKissick discloses everything claimed as applied above (See claim 5), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said receiving is done via satellite, cable, or wireless".

Regarding **claim 9**, McKissick discloses everything claimed as applied above (See claim 4), in addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, McKissick discloses a television

message system that permits users to receive messages through the messaging television system, paragraph [0014].

It is noted that McKissick fails to explicitly disclose the method of demultiplexing said broadcasted, output transport stream at said destination set top box into said text message. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a receiver which includes a demultiplexer that receives the data signal and separates the packets from the compressed digital video data stream, a packet disassembler returns the information to its original state, column 2 lines 6-22, which reads on "demultiplexing said broadcasted, output transport stream at said destination set top box into said text message".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of returning the data to its original form, since it was send in a single channel that allows different types of content to be transmitted simultaneously.

Regarding **claim 10**, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, McKissick discloses a television message system that permits users to receive messages through the

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messaging television system, paragraph [0014], which reads on "receiving a text message from a source set top box".

It is noted that McKissick fails to explicitly disclose the method of packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of a destination set top box, an identifier of said source set top box, and a packet header information; and forwarding said plurality of data packets to a multiplexor. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67, where a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of a destination set top box, an identifier of said source set top box, and a packet header information".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "forwarding said plurality of data packets to a multiplexor".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy.

Regarding **claim 11**, McKissick discloses everything claimed as applied above (See claim 10), in addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another.

It is noted that McKissick fails to explicitly disclose that said plurality of data packets are in MPEG-2 format. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses that the data signal is in MPEG-2, column 3 lines 13-28, which reads on "said plurality of data packets are packetized into a MPEG-2 format".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of implementing a content compression standard that would allow bandwidth saving.

Regarding **claim 12**, McKissick discloses everything claimed as applied above (See claim 10), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "wherein said receiving is via telephone".

Regarding **claim 13**, McKissick discloses everything claimed as applied above (See claim 10), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "wherein said receiving is via cable".

Regarding **claim 14**, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, McKissick discloses a television message system that permits users to receive messages through the messaging television system, paragraph [0014], which reads on "receiving a plurality of

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text messages, wherein said plurality of text messages originated at a plurality of source set top boxes".

It is noted that McKissick fails to explicitly disclose the method of packetizing said plurality of text messages into a plurality of data packets; multiplexing said plurality of data packets and audio data and video data into an output transport stream; and broadcasting said output transport stream to a plurality of destination set top boxes. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67, where a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "packetizing said plurality of text messages into a plurality of data packets".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "multiplexing said plurality of data packets and audio data and video data into an output transport stream".

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on "broadcasting said output transport stream to a plurality of destination set top boxes".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy.

Regarding **claim 15**, McKissick and Oshita disclose everything claimed as above (see claim 14); in addition, claim 15 incorporates all the limitations of claims 8. Therefore, claim 15 stands rejected for the same reasons as stated above (see claim 8) since it is inherent to the method claimed in claim 8.

Regarding **claim 16**, McKissick and Oshita disclose everything claimed as above (see claim 14); in addition, claim 16 incorporates all the limitations of claims 7. Therefore, claim 16 stands rejected for the same reasons as stated above (see claim 7) since it is inherent to the method claimed in claim 7.

Regarding **claim 17**, McKissick and Oshita disclose everything claimed as above (see claim 14); in addition, claim 17 incorporates all the limitations of claims 9. Therefore, claim 17 stands rejected for the same reasons as stated above (see claim 9) since it is inherent to the method claimed in claim 9.

Regarding **claim 18**, McKissick discloses a television message system that permits users to receive messages through the messaging television system, paragraph [0014] also exhibited on fig 3, which reads on "receiving a broadcasted, output transport stream including a plurality of data packets on a destination set top box".

It is noted that McKissick fails to explicitly disclose the method of demultiplexing said broadcasted, output transport stream at said destination set top box into said text message. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a receiver which includes a demultiplexer that receives the data signal and separates the packets from the compressed digital video data stream, a packet disassembler returns the information to its original state, column 2 lines 6-22, which reads on "demultiplexing said broadcasted, output transport stream at said destination set top box into a text message, wherein said text message originated on a source, set top box".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of returning the data to its

original form, since it was send in a single channel that allows different types of content to be transmitted simultaneously.

Regarding **claim 19**, McKissick and Oshita disclose everything claimed as above (see claim 18); in addition, claim 19 incorporates all the limitations of claims 8. Therefore, claim 19 stands rejected for the same reasons as stated above (see claim 8) since it is inherent to the method claimed in claim 8.

Regarding **claim 20**, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058] also exhibited on fig 3. In addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores and forwards messages from one set top box (100) to another, as shown in figure 3, which reads on "a service station adapted to receive a plurality of text messages sent from a plurality of source set top boxes".

It is noted that McKissick fails to explicitly disclose that said service station packetizes said plurality of text messages into a plurality of data packets; a multiplexor in communication with said service station adapted to multiplex said plurality of data

packets and audio data and video data into an output transport stream; and broadcasting means for broadcasting said output transport stream to a plurality of destination set top boxes. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67, where a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "wherein said service station packetizes said plurality of text messages into a plurality of data packets".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "a multiplexor in communication with said service station adapted to multiplex said plurality of data packets and audio data and video data into an output transport stream".

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on "broadcasting means for broadcasting said output transport stream to a plurality of destination set top boxes".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a

single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy; moreover, providing a central location where the messages are redistributed and organized which allows the distribution facility to keep control of the transactions made by each user.

Regarding **claim 21**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting means is a satellite".

Regarding **claim 22**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting means is cable".

Regarding **claim 23**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses that the television equipment devices

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may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting means is wireless means".

Regarding **claim 24**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said plurality of text messages received by said service station sent from said plurality of source set top boxes are received via telephone or cable".

Regarding **claim 25**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores and forwards messages from one set top box (100) to another, as shown in figure 3, where the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "a source set top box connected via communication means with said service station".

Regarding **claim 26**, McKissick discloses everything claimed as applied above (See claim 25), in addition, McKissick discloses a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores and forwards messages from one set top box (100) to another, as shown in figure 3, where the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said communication means is telephone or cable".

Regarding **claim 27**, McKissick discloses everything claimed as applied above (See claim 20), in addition, McKissick discloses a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores and forwards messages from one set top box (100) to another, as shown in figure 3, where the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "a destination set top box in communication with said broadcasting means".

Regarding **claim 28**, McKissick discloses everything claimed as applied above (See claim 27), in addition, McKissick discloses a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores and forwards messages from one set top box (100) to another, as shown in figure 3, where the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said destination set top box is in communication via satellite, cable, or wireless".

Regarding **claim 29**, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058] also exhibited on fig 3. In addition, McKissick discloses that messages may be distributed along communication paths (24) using communication techniques, such as packet based and internet protocol transmissions, paragraph [0058], where messages can be broadcasted from one user's set top box to another. Moreover, a group of set top boxes (100) can be connected to a television distribution facility (104), which includes a messages server (106) that stores, processes and forwards messages from one set top box (100) to another, as shown in figure 3, which reads on "transmitting means for transmitting a text message from a source set top box to a packetizing means".

It is noted that McKissick fails to explicitly disclose packetizing means for packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, and identifier of a destination set top box, and a packet header information; multiplexing means in communication with said packetizing means for multiplexing said plurality of data packets and audio data and video data into an output transport stream; and broadcasting means in communication with said multiplexing means for broadcasting said output transport stream to a destination set top box. However, the examiner maintains that it was well known in the art to provide such elements, as taught by Oshita.

In a similar field of endeavor Oshita discloses a system to enable teletext information to be transmitted and received together with a compressed digital video data signal, where a packet assembler assembles this other information into packets and adds header information, such as sync pattern and flag information to each packet, column 1 lines 39-67, where a packet header includes all the information needed in order for the packet to reach its destination (i.e. destination address, size of the packet, identifiers, etc..) which reads on "packetizing means for packetizing said text message into a plurality of data packets, wherein said plurality of data packets include said text message, an identifier of said source set top box, and identifier of a destination set top box, and a packet header information".

A multiplexer multiplexes the packets with the compressed digital video data stream to generate an output data signal, column 2 lines 3-5, which reads on "a

multiplexor in communication with said service station adapted to multiplex said plurality of data packets and audio data and video data into an output transport stream”.

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on “multiplexing means in communication with said packetizing means for multiplexing said plurality of data packets and audio data and video data into an output transport stream”.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of data together would result in a money saving strategy, moreover, providing a central location where the messages are redistributed and organized which allows the distribution facility to keep control of the transactions made by each user.

The data signal is send and received by the video decoding apparatus, column 2 lines 1-9, which reads on “broadcasting means in communication with said multiplexing means for broadcasting said output transport stream to a destination set top box”.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify McKissick by specifically providing the elements mentioned above, as taught by Oshita, for the purpose of sending information in a single channel, which saves the need to implement more transmission lines where different types of data would be transmitted separately, whereas multiplexing all types of

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data together would result in a money saving strategy, moreover, providing a central location where the messages are redistributed and organized which allows the distribution facility to keep control of the transactions made by each user.

Regarding **claim 30**, McKissick discloses everything claimed as applied above (See claim 29), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on " said transmitting is done via telephone or cable".

Regarding **claim 31**, McKissick discloses everything claimed as applied above (See claim 29), in addition, McKissick discloses that the television equipment devices may be connected to a television distribution facility, such as a cable system head end, by coaxial cables, satellite link, a telephone network line or a microwave link, paragraph [0013] and [0051] also exhibited on fig 3, which reads on "said broadcasting is done via satellite, cable, or wireless".

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

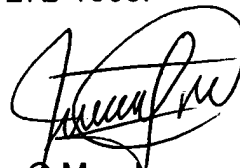
- Murphy et al. (Pub No US 2004/0250285) – Communication system and method
- DeWeese et al. (Pub No US 2005/0262542) Television Chat system
- Harrison (Patent No 5,694,163) Method and apparatus for viewing of on-line information service chat data incorporated in a broadcast television program.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O. MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Thursday 9am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Junior O Mendoza
Examiner
Art Unit 2623

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